

STEVEN LOWN, )  
)  
Plaintiff, ) NO. C05-1033 JAJ  
)  
vs. )  
)  
THE ARCHDIOCESE OF DUBUQUE ) **SCHEDULING ORDER AND**  
and WILLIAM T. SCHWARTZ, ) **DISCOVERY PLAN**  
)  
Defendants. )

1. Did the parties enter into an agreement at the Rule 26(f) conference resolving all issues relating to initial disclosures? X yes \_\_\_\_\_ no If you answer "no," state whether any party objected at the Rule 26(f) conference to making or to the timing of the initial disclosures: \_\_\_\_\_ yes \_\_\_\_\_ no  
**If any party objected at the Rule 26(f) conference to making or to the timing of the initial disclosures, then the objecting party must, within 10 days after this order and plan has been filed, serve and file a document in which the objections are set forth with particularity.** If the parties have agreed to a deadline for making the initial disclosures, state the date by which the initial disclosures will be made: 3/5/06

2. Deadline for motions to add parties: 3/5/06

3. Deadline for motions to amend pleadings: 3/5/06

4. Expert witnesses disclosed by:

a) Plaintiff: 4/5/06

b) Defendant: 6/5/06

c) Plaintiff Rebuttal: 7/5/06

5. Deadline for **completion** of discovery: 8/1/06

6. Dispositive motions deadline (**at least 120 days before Trial Ready Date**): 8/1/06

7. Trial Ready Date (**at least 120 days after Dispositive Motions Date**): 12/1/06

8. Has a jury demand been filed? X yes \_\_\_\_\_ no

9. Estimated length of trial: 4-6 days

10. Settlement conference (choose one of the following): (a) \_\_\_\_\_ A court-sponsored settlement conference should be set by the court at this time for a date after: \_\_\_\_\_; or  
(b) X A court-sponsored settlement conference is not necessary at this time.

11. Should the court order a court-sponsored scheduling and planning conference pursuant to Fed. R. Civ. P. 16(b) and 26(f)? \_\_\_\_\_ yes X no

12. Do the parties unanimously consent to trial, disposition and judgment by a U.S. Magistrate Judge, with appeal to the Eighth Circuit Court of Appeals pursuant to 28 U.S.C. § 636(c)(3)?  
X yes \_\_\_\_\_ no

/s/ Chad A. Swanson

Attorney for Plaintiff(s): Chad A. Swanson  
Dutton, Braun, Staack & Hellman, P.L.C.

Address: P.O. Box 810, Waterloo, IA 50704

Telephone: (319) 234-4471

Facsimile: (319) 234-8029

E-mail address: [swansonc@wloolaw.com](mailto:swansonc@wloolaw.com)

/s/ Brendan T. Quann

Attorney for Defendant(s): Brendan T. Quann  
O'Connor & Thomas, P.C.

Address: P.O. Box 599, Dubuque, IA 52004

Telephone: (563) 557-8400

Facsimile: (563) 556-1867

E-mail address: [bquann@octhomaslaw.com](mailto:bquann@octhomaslaw.com)

/s/ Werner Hellmer

Attorney for Third-Party Defendant/Other: Werner Hellmer  
Day, Hellmer & Straka, P.C.


Address: 1411 Main St., Dubuque, IA 52001

Telephone: (563) 557-1885

Facsimile: (563) 557-2335

E-mail address: [DayHellmerlawdbq@aol.com](mailto:DayHellmerlawdbq@aol.com)

**The proposed scheduling order and discovery plan is approved and adopted by the Court. Therefore, a scheduling conference will not be set at this time.**

  
JOHN A. JARVEY  
MAGISTRATE JUDGE  
U.S. DISTRICT COURT